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GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Sri R. Rajendra Prasad, formely MPDO, MPP, Chittamur, SPSR Nellore District(Now retired) - Certain irregularities committed in counting process during the 4th Ordinary Election to MPTC/ZPTC in Chittamur Mandal - Departmental Proceedings under Rule 20 of Andhra Pradesh Civil Srervices (Classifcation, Control and Appeal) rules, 1991 - Article of Charges - Issued.

PANCHAYAT RAJ & RURAL DVELOPMENT (VIG-IV) DEPARTMENT

G.O.Rt.No.126 Dated:31/03/2022

Read the Following:-

1. Letter Rc.No.510/2017, dated: 22.12.2017 from the Sub-Collector, Gudur, SPSR Nellore District.
2. Letter Rc.No.P3/2736/2014, dated: 13.11.2019 from the District Collector, SPSR Nellore District.
3. Letter No.1455175/CPR&RD/A1/2021, dated: 02/09/2021 from the Commissioner, PR&RD, Tadepalli, Guntur District, A.P.

O R D E R :-

It is proposed to hold an inquiry against Sri R. Rajendra Prasad, Mandal Parishad Development Officer, formerly Mandal Praja Parishad, Chittamur of SPSR Nellore District due to his irregularities in counting process for 4th Ordinary Elections to MPTC/ZPTC - 2014 in Chittamur Mandal of SPSR Nellore District in accordance with the Procedure laid down in Rule 20 of the A.P.C.S (CC&A), Rules, 1991.

2. The substance of the imputation of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the

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enclosed statement of article of charges (Annexure - I). A statement of imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witness by whom the articles of charges are proposed to be sustained are also enclosed (Annexure-III&IV).

3. Sri R. Rajendra Prasad, Mandal Parishad Development Officer, formerly Mandal Praja Parishad, Chittamur of SPSR Nellore District(Now retired) from service is directed to submit a written statement of his defense within 15 days from the receipt of this order.

4. Sri R. Rajendra Prasad, Mandal Parishad Development Officer, formerly Mandal Praja Parishad, Chittamur of SPSR Nellore District(Now retired) from service is informed that an enquiry will be held only in respect of those article of charges as are not admitted. He should therefore, specifcally admit or deny each article of charge.

5. Sri R. Rajendra Prasad, Mandal Parishad Development Officer, formerly Mandal Praja Parishad, Chittamur of SPSR Nellore District(Now retired) from service is further informed that, if he does not submitted his written statement of defense on or before the date specifed in the para (3) above further action will be proceeded based on the material available.

6. Attention of Sri R. Rajendra Prasad, Mandal Parishad Development Officer, formerly Mandal Praja Parishad, Chittamur of SPSR Nellore District, presently retired from service is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political on outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect

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of any matter dealt within these proceedings it will be presumed that Sri R.Rajendra Prasad, Mandal Parishad Development Officer, formerly Mandal Praja Parishad, Chittamur of SPSR Nellore District, presently retired from service is aware of such representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this orders shall be acknowledged along with Annexure-I,II,III & IV forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRAPRADESH)

Gopal Krishna Dwivedi
Principal Secretary To Government

To
Sri R. Rajendra Prasad, MPDO, formerly Mandal Praja Parishad,Chittamur, of SPSR Nellore District(Now retired), through the Commissioner, PR&RD, Tadepalli, Guntur District, A.P.
The Commissioner, PR&RD,PVS ICON, Tadepalli, Guntur District, A.P.(with a request to serve the order on the Charged Officer and furnish acknowledgment with dated signature for record).
Sc/Sf(1533835)

//FORWARDED::BY ORDER//

SECTION OFFICER

//TRUE COPY//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI R.RAJENDRA PRASAD, MANDAL PARISHAD DEVELOPMENT OFFICER, FORMERLY MANDAL PRAJA PARISHAD, CHITTAMUR OF SPSR NELLORE DISTRICT, PRESENTLY RETIRED.

Charge - I

That,Sri R. Rajendra Prasad, Mandal Parishad Development Officer, formerly Mandal Praja Parishad, Chittamur of SPSR Nellore District, present retired has acted as Assistant Returning Officer to the 4th Ordinary Elections to MPTC/ZPTC-2014. During the counting of votes it was noticed certain irregularities and Smt.Duvvuru Indiramma who was defeated in ZPTC elections gathered outside of the MPDO Office Chittamur with her supporters and staged a protect on improper counting procedure and declaration of winner of ZPTC.

Charge - II

That, Sri R. Rajendra Prasad, Mandal Parishad Development Officer, formerly Mandal Praja Parishad, Chittamur of SPSR Nellore District, presently retired has not supplied the prescribed formats relating to the counting supervisors and supplied only white papers and obtaining round wise results in white paper from the counting supervisor which is most irregular. Mean while in the white papers the counting supervisors had given symbol wise counting of votes but not mentioned the names of candidates and Table wise round wise results were not noticed in the records of the MPDO. As per statement of the ARO the declaration of results was handed over to EO PR&RD which is irregular.

Charge - III

That, Sri R. Rajendra Prasad, Mandal Parishad Development Ofcer, formerlyMandal Praja Parishad, Chittamur of SPSR Nellore District, presently retired from service has failed in overall supervisor of counting process being the Assistant Returning Ofcer for the 4th Ordinary Elections for MPTC/ZPTC- 2014 and paved way for confusions and severe irregularities in declaration of results for ZPTC Elections in Chittamur

(cont..)

Mandal of SPSR Nellore District.

Thus, Sri R. Rajendra Prasad, Mandal Parishad Development Ofcer, formerly Mandal Praja Parishad, Chittamur of SPSR Nellore District, presently retired from service failed to maintain absolute integrity and devotion to duty and conduct and contravened Rule 3 of A.P.C.S (Conduct) Rules, 1964.

Gopal Krishna Dwivedi
Principal Secretary To Government

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ANNEXURE - II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN RESPECT OF ARTICLES OF CHARGES FRAMED AGAINST SRI R. RAJENDRA PRASAD MPDO FORMERLY MPP CHITTAMUR OF SPSR NELLORE DISTRICT, PRESENTLY RETIRED.

The Commissioner, PR&RD vide Letter No.1455175/CPR&RD/A1/2021, dated:02/09/2021 has reported to the Government that the District Collector, SPSR Nellore has appointed the RDO, Gudur as an Enquiry officer to enquire on irregularities committed by Sri R. Rajendra Prasad, Mandal Parishad Development Officer, formerly Mandal Praja Parishad, Chittamur of SPSR Nellore District, presently retired from services has acted as Assistant Returning Officer to the 4th Ordinary Elections to MPTC/ZPTC - 2014. The 4th Ordinary Elections for MPTC/ZPTC of Chittamur Mandal were conducted in the year 2014, that the elections for ZPTC and MPTC chittamur held on 06/04/2014 and 11/04/2014 that the counting was done on 13/05/2014 at Audi Sankara Engineering College Gudur. Sri M.V. Subba Reddy, Assistant Director, Horticulture, Nellore was appointed as Returning Ofcer for ZPTC and MPTC elections of Chittamur. During the counting of Votes it was noticed certain irregularities and Smt.Duvvuru Indiramma who was defeated in ZPTC elections gathered outside of the MPDO Office Chittamur with her supporters and staged a protect on improper counting procedure and declaration of winner of ZPTC.

2). In this connection, The Additional Joint Collector, SPSR Nellore District enquired into the matter on 15/05/2014 at MPDO's Ofce, Chittamur and also examined officers related to counting process for ZPTC and noticed the following major irregularities.

a. Misplacement of initial counting statements in respect of P.S.No.4, 5, 6 regarding to ZPTC ballots and correction in the available 37 polling stations noticed. Hence, total number of ballots received in respect of ZPTC, Chittamur can't be arrived. The total number of MPTC votes taken in to consideration for PS No.4, 5, 6 to arrive the

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total number of votes polled for ZPTC for PS No.4, 5 and 6.

b. Incorrect and irregular maintenance of result sheet of detailed count of candidate wise ballots, table wise and correction in figure thereon.

c. No prescribed format supplied to counting supervisors i.e., Form XXVI, Part-II for detailed count, but white papers supplied.

d. Only symbol wise counting of ballots posted but not candidate wise ballots posted.

e. Table wise and round wise results not prepared in Form XXII, which is violation of Election Law, created room for suspicion.

f. Declaration not made in counting hall by the A.R.O.

g. Declaration said to have signed and handed over to E.O.R.D by the A.R.O.

h. Declaration again collected by the A.R.O from E.O.P.R.D and handed over to winning candidate on 14.05.2014 by the A.R.O.

i. One lady, who is not related to Election counting duty, said to be wife of MPDO, sat in the counting hall in the seat of Computer Operator during the entire course of counting.

j. The A.R.O or MPDO were not properly trained the counting supervisors and supplied the appropriate Forms for flling during the counting and the Assistant Returning Officer / Mandal Parishad Development Officer,Chittamur had failed in discharging his Election duties properly.

3). On verification of records and reports and statements of the case by the Revenue Divisional Officer, Gudur / Enquiry Officer the following observations were taken in to account.

a. On verification of proceedings on counting duty issued by the MPDO Chittamur, it was noticed that Sri K. Gnanasundaram was appointed as reserve counting assistant and Sri M. Veera Brahmam EO & PRD as in charge of strong room and R. Rajendra Prasad MPDO is as over all supervision of counting hall.

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b. The prescribed format forms related to counting were not supplied by the MPDO to the counting supervisors and supplied only white papers and obtained round wise results in white paper from the counting supervisor which is most irregular.

c. In the white papers the counting supervisors had given symbol wise counting of votes but not mentioned the names of candidates.

d. Table wise round wise results were not noticed in the records of the MPDO.

e. As per statement of the Assistant returning Officer (ARO) the declaration in form XXVII was signed by the ARO on 13th date only and handed over the declaration form to the elected candidate on 14.05.2014. He should announce results on the spot at counting hall after counting was completed and issue of declaration of results to the elected one at the counting hall only. But he did not do so.

f. As per statement of the ARO the declaration of results was handed over to EO PR& RD which is irregular.

g. The MPDO Chittamur as the overall supervisor of counting hall should supply all the prescribed forms to the counting supervisors well in advance at the counting hall and obtained flled forms from the counting supervisors after round wise counting and scrutinize them thoroughly and make his side initial on the format and put up the scrutinized forms before the ARO for his approval and get them approved and kept them with him for flling purpose. But the MPDO Chittamur has completely failed to perform his legitimate duty which is crucial and caused a lot of confusion and irregularities.

h. It is also noticed that the ARO and MPDO have not trained the counting staff properly and so these irregularities happened.

4). In the light of the above, Sri R.Rajendra Prasad MPDO Formerly MPP Chittamur of SPSR Nellore District presentlt retired from service had failed in overall supervision of counting process being the Assistant Returning Officer for the 4th Ordinary Elections for MPTC/ZPTC - 2014 and paved way for confusions and severe

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irregularities in declaration of results for ZPTC Elections in Chittamur Mandal of SPSR Nellore District and contravened Rule 3 (1), (2), (3) of AP Civil Services (Conduct) Rules, 1964.

5). Hence, the charge.

Gopal Krishna Dwivedi
Principal Secretary To Government

SECTION OFFICER

ANNEXURE - III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES ARE FRAMED AGAINST SRI R. RAJENDRA PRASAD, MANDAL PARISHADDEVELOPMENT OFFICER FORMERLY MANDAL PRAJA PARISHAD,CHITTAMUR, SPSR NELLORE DISTRICT AND PRESENTLY RETIRED.

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1.Enquiry Report Rc.No.C.510/2017 dated: 22.12.2017 from the Revenue Divisional Officer, Gudur Division, SPSR Nellore District.
2. Letter Rc.No.P3/2736/2014 dated: 13.11.2019 from the Collector & District Magistrate, SPSR Nellore District along with four enclosures.
3. Letter No.1455175/CPR&RD/A1/2021, dated: 02/09/2021 from the Commissioner, PR&RD, PVS ICON, Tadepalli, Guntur District.

Gopal Krishna Dwivedi
Principal Secretary To Government

SECTION OFFICER

ANNEXURE - IV

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGES ARE FRAMEDAGAINST SRI R. RAJENDRA PRASAD, MANDAL PARISHAD DEVELOPMENT OFFICER FORMERLY MANDAL PRAJA PARISHAD, CHITTAMUR, SPSR NELLORE DISTRICT AND PRESENTLY RETIRED.

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1. The Additional Joint Collector, SPSR Nellore District.
2. The Revenue Divisional Officer, Gudur Division, SPSR Nellore District (the then Enquiry Officer)

Gopal Krishna Dwivedi
Principal Secretary To Government

SECTION OFFICER